

Panaji, 6th May, 1976 (Vaisaka 16, 1898)

SERIES II No. 6

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA, DAMAN AND DIU

### GOVERNMENT OF GOA, DAMAN AND DIU

#### General Administration Department

Addendum

No. 4-1-76-GAD

Ref.: Notification of even number dated 30-10-1975 & 13-4-1976.

Following para may be added to the Notification of even number dated 13-4-1976 regarding Holidays.

Holiday for Budha Purnima, on 13th May, 1976, Vaisakha 23, 1898 (SAKA) Thursday, notified as public Holiday, has been cancelled. This arrangement has been made under the Negotiable Instrument Act 1881.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. K. Bhandare, Deputy Secretary (Appointments).

Panaji, 3rd May, 1976.

#### Home Department (General)

Notification

No. HD(G)-44-92/75

Read: Government Order No. 16-5-73-GAD dated 22-4-76.

In exercise of the powers conferred by sub-section (1) of section 20 of the Criminal Procedure Code, 1973 (Act No. 2 of 1974) the Lieutenant Governor of Goa, Daman and Diu hereby appoints Shri X. S. Contoco, Mamlatdar, Bicholim as the Executive Magistrate, from the date he takes over charge.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

M. K. Bhandare, Under Secretary (Home).

Panaji, 27th April, 1976.

#### Home Department (Passports)

Order

No. HD/33/1-9/76

Shri M. Nirmal, Custodian of Evacuee Property is granted earned leave for 40 days with effect from 3-5-1976 to 11-6-1976 with permission to prefix 1-5-1976 being Public

Holiday and 2-5-1976 being Sunday respectively and suffix 12-6-1976 and 13-6-1976 being Second Saturday and Sunday respectively.

During the absence of Shri Nirmal, Shri M. S. Borkar, Under Secretary (Law) will hold the charge of the Custodian of Evacuee Property in addition to his own duties.

It is certified that Shri M. Nirmal would have continued to officiate as Custodian of Evacuee Property but for his proceeding on leave.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. K. Bhandare, Under Secretary (Home).

Panaji, 29th April, 1976.

#### Rural Development Department

##### Office of the Registrar Cooperative Societies

No. RES/(c)-90/GOA/LQD/76

Read: 1. The Audit Report of the Batim V. K. S. S. Society Ltd., Batim-Tiswadi for the year 1974-75.

2. This office interim order No. RES-(c)-90/GOA/LQD/Notice 76 dated 12th February, 1976, requiring the society to submit its say as to why the society should not be taken into liquidation.

3. Letter dated 2-3-1976, from the Chairman, Batim, V. K. S. S. Society Ltd., Batim.

Vide this office, interim order No. RES-(c)-90/GOA/LQD/Notice/76, dated 12th February, 1976, cited at Serial No. 2 above the society was called upon to submit its say, if any, within one month from the date of issue of the said order as to why the society should not be taken into liquidation. Accordingly, a reply dated 2-3-1976 has been received from the Chairman but on examination the said reply has not been found satisfactory and convincing due to the following reasons:

i) The society is stagnant for the last two years and no efforts had been made by the members of the Managing Committee to revive the working of the society during the said period. The disinterest of the members in the affairs of the society is further evident from the fact that no annual general meetings were called since 1973-74 and the Annual General Meeting for 1973-74 was convened by the Extension Officer, (Coop-cum-V. P.), Panaji as per authorisation for the same by this office.

ii) As regards point No. 2 in the letter under reference the same is irrelevant, and in this regard it is observed that the society has sustained heavy losses which as on 30-6-1975 have accrued to Rs. 10,479-45, thus wiping out the entire paid up share capital of the society and leaving the society without any borrowing capacity. Moreover the members have also not made any attempts to raise additional share capital for creating any borrowing capacity of the society. However, if the members are now interested in reviving its working they can do so even after the society being taken into liquidation, by

having recourse to the procedure laid down in Section 19 of the Act and Rule 15 of the Coop. Societies Rules, 1962, after raising sufficient additional share capital required for undertaking any business.

(iii) The point No. 3 also has no bearing on the issue as the Managing Committee of a wounded society has no locus standi to convene such meetings though if the same are convened and held can in no case be considered to be legally valid and to serve any useful purpose.

In view of the aforesaid, I pass the following order:

#### Order

In virtue of the powers vested in me under Section 102(1) of the Maharashtra Cooperative Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu, the aforesaid society was called upon to show cause as to why it should not be taken into liquidation. However, the society failed to furnish any convincing reply to the aforesaid interim order and I am of the opinion that no useful purpose will be served by its continuance. Therefore, I, M. N. Bhartiya, Assistant Registrar of Cooperative Societies, Goa, Daman and Diu hereby confirm the order mentioned at Serial No. 2 above as per the aforesaid Act.

Further, under Section 103(1) of the said Act read with Rule 86 of the Cooperative Societies Rules, 1962, I hereby appoint Shri A. V. C. Molienkar, Junior Inspector, Cooperative Societies as the liquidator of Batim V. K. S. S. Society Ltd., Batim-Tiswadi.

M. N. Bhartiya, Asstt. Registrar of Coop. Societies, Goa, Daman and Diu.

Panaji, 23rd March, 1976.

No. CON-17/Goa/76

- Read: (1) This Office order No. CON-LQD-4/ of 66 dated 15-1-1966 placing the Narvekar Mines Employees Consumers Coop. Society Ltd., Kirlapal-Sanguem under liquidation and appointing the liquidator in terms of Section 103(1) of the Maharashtra Coop. Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu.
- (2) Letter dated 3-2-1975 from the liquidator of the society sending the final report in terms of Section 109(2) of the Maharashtra Coop. Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu.

#### Order

In virtue of the powers vested in me under provisions of Section 109(2) and 21 of the Maharashtra Coop. Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu, I, M. N. Bhartiya, Asstt. Registrar of Coop. Societies, Goa, Daman and Diu, hereby terminate the liquidation proceedings and cancel the registration bearing No. CON-17/Goa dated 8-11-1963 of the Narvekar Mines Employees Consumers Coop. Society Ltd., Kirlapal-Sanguem (Goa) with effect from the date of issue of this order.

M. N. Bhartiya, Asstt. Registrar of Coop. Societies, Goa, Daman and Diu.

Panaji, 24th March, 1976.

No. GEN-(c)-6/Goa/LQD/1975-76

- Read: 1. Audit Report for the year 1973-74 of the Bardez Fisheries Coop. Society Ltd., Verem-Bardez.
2. Letter No. AIO(f)2/75-76 dated 29-3-1975 from the Director of Fisheries, Panaji.
3. This Office order No. GEN-(c)-6/Goa/LQD/Notice/75-76 dated 8-1-1976.
4. Letter No. AIO(f)2/5184/75-76 dated 6-12-1975 from the Director of Fisheries, Panaji, requesting to appoint Shri G. Ramesh, Extension Officer, Fisheries as Liquidator to the Bardez Fisheries as Liquidator to the Bardez Fisheries Coop. Society Ltd., Verem-Bardez.
5. Letter No. FSH/Coop/75-76/2999 dated 21st February, 1976, from the E. O. Fisheries re-

questing the Director of Fisheries to appoint a Marathi knowing person as a liquidator to the Bardez Fisheries Coop. Society Ltd., Verem-Bardez.

6. Memo No. AIO(f)2/9442/75-76 dated 26th February 1976, from the Director of Fisheries in reply to the E. O. Fisheries letter mentioned at Serial No. 5 above.

#### Order

In virtue of the powers vested in me under Section 102(1) of the Maharashtra Cooperative Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu, read with Rule 84 of the Coop. Societies Rules, 1962, a notice was issued to the Bardez Fisheries Cooperative Society Ltd., Verem-Bardez for taking the said society into liquidation. However, no reply in this regard has been received from the society so far and I am satisfied that there is no objection in regard to the society being taken into liquidation and hence I, Pukh Raj Bumb, Registrar of Coop. Societies Goa, Daman and Diu hereby confirm the aforesaid order mentioned at Serial No. 3 above in terms of Section 102(2) of the Maharashtra Coop. Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu.

Further, in exercise of the powers vested in me under Section 103(1) of the aforesaid Act, read with Rule 86 of the Coop. Societies Rules, 1962, I hereby appoint Shri G. Ramesh, Extension Officer, Fisheries as liquidator of the said society.

Pukh Raj Bumb, Registrar of Coop. Societies, Goa, Daman and Diu.

Panaji, 25th March, 1976.

### Labour and Information Department

#### Order

No. 1/558/76-LAB/418

The following Resolution adopted by this Administration for the implementation of the Scheme for Workers' Participation in Industry at the Shop Floor and Plant level is hereby published for general information of all concerned.

P. Noronha, Under Secretary (Industries and Labour).

Panaji, 19th April, 1976.

#### Resolution

Labour and Information Department  
Government of Goa, Daman and Diu

Panaji (Goa), the 19th April, 1976

#### SCHEME FOR WORKERS' PARTICIPATION IN INDUSTRY AT SHOP FLOOR AND PLANT LEVEL

One of the items in the 20-Point Economic Programme relates to the introduction of schemes for workers' participation in industries particularly at the shop floor level and in production programmes. The Central Government Scheme published in Gazette of India, Extraordinary Part-I-Section 1, dated 1st November, 1975, applies only, for the present, to establishments having 500 or more workers on their rolls. Taking into account the nature of smaller establishments in this territory Government have considered the matter carefully and have drawn up a scheme for the purpose to cover establishments in this territory.

#### Introduction:

1. To begin with, the scheme will have to be flexible so as to allow variations to suit local conditions and hence will be implemented through executive action. Government are, therefore, of the view that the matter should be left to the initiative of the managements to evolve a suitable pattern of participation depending upon the nature of each unit.

*Coverage:*

2. The Scheme will be implemented in the first instance in manufacturing industries whether in the public, private or cooperative sectors. These will include also units run departmentally, whether or not the Joint Consultative Machinery set up is functioning in such units.

3. The Scheme for the present will apply to those units in these industries which have 200 or more workers on their rolls. The scheme will provide for shop councils at the shop/departmental levels and Joint Councils at the enterprise level.

*Shop Councils:*

4. The main features of the Scheme of Participative Management through shop councils may be as follows:—

i) In every industrial unit employing 200 or more workmen, the employer shall constitute a shop council for each department or shop, or one council for more than one department or shop, considering the number of workmen employed in different departments or shops;

ii)(a) each council shall consist of an equal number of representatives of employers and workers;

(b) the employers' representatives shall be nominated by the management and must consist of persons from the unit concerned;

(c) all the representatives of workmen shall be from amongst the workers actually engaged in the department or the shop concerned;

iii) the employer shall decide in consultation with the recognised union or the various registered trade unions or with workers, as the case may be, in the manner best suited to local conditions, the number of shop councils and departments to be attached to each council of the undertaking or the establishment;

iv) the number of members of each council may be determined by the employer in consultation with the recognised union, registered unions or workers in the manner best suited to local conditions obtaining in the unit; the total number of members may not generally exceed 12;

v) All decisions of a shop council shall be on the basis of consensus and not by a process of voting, provided that either party may refer the unsettled matters to the joint council for consideration;

vi) every decision of a shop council shall be implemented by the parties concerned within a period of one month unless otherwise stated in the decision itself and compliance report shall be submitted to the council;

vii) such decisions of a shop council which have a bearing on another shop, or the undertaking or establishment as a whole will be referred to the joint council for consideration and decision;

viii) a shop council once formed, shall function for a period of two years. Any member nominated or elected to the council in the mid-term to fill a casual vacancy shall continue to be a member of the council for the unexpired portion of the term of the council;

ix) the council shall meet as frequently as is necessary and at least once in a month;

x) the Chairman of the shop council shall be a nominee of the management; the worker members of the council shall elect a vice-chairman from amongst themselves.

*Functions of the Shop Councils:*

5. The shop councils should, in the interest of increasing production, productivity and overall efficiency of the shop/department attend to the following matters:—

i) assist management in achieving monthly/yearly production targets;

ii) improvement of production, productivity and efficiency, including elimination of wastage and optimum utilisation of machine capacity and manpower;

iii) specifically identify areas of low productivity and take necessary corrective steps at shop level to eliminate relevant contributing factors;

iv) to study absenteeism in the shops/departments and recommend steps to reduce them;

v) safety measures;

vi) assist in maintaining general discipline in the shop/department;

vii) physical conditions of working, such as, lighting, ventilation, noise, dust, etc., and reduction of fatigue;

viii) welfare and health measures to be adopted for efficient running of the shop/department; and

ix) ensure proper flow of adequate two-way communications between the management and the workers, particularly on matters relating to production figures, production schedules and progress in achieving the targets.

*Joint Council:*

6. In every industrial unit employing 200 or more workers, there shall be a Joint Council for the whole unit. The main features of the scheme of Joint Council may be as follows:—

i) Only such persons who are actually engaged in the unit shall be members of the joint council;

ii) The council shall function for a period of two years;

iii) The Chief Executive of the unit shall be the chairman of the joint council; there shall be a vice-chairman who will be nominated by worker-members of the council;

iv) The Joint Council shall appoint one of the members of the council as its Secretary. Necessary facilities for the efficient discharge of functions by the Secretary shall be provided within the premises of the undertaking/establishment;

v) The term of the council, once formed, shall be for a period of two years; if however, a member is nominated in the mid-term of the council to fill a casual vacancy, the member nominated in such vacancy shall continue in office for the remaining period of the term of the council;

vi) The joint council shall meet at least once in a quarter;

vii) Every decision of the joint council shall be on the basis of consensus and not by process of voting and shall be binding on employers and workmen and shall be implemented within one month unless otherwise stated in the decision itself.

*Functions of the Joint Council:*

7. The Joint Council should deal with matters relating to:—

i) optimum production, efficiency and fixation of productivity norms of man and machine for the unit as a whole;

ii) functions of a shop council which have a bearing on another shop or the unit as a whole;

iii) matters emanating from shop councils which remain unresolved;

iv) matters concerning the unit or the plant as a whole, in respect of matters relating to work planning and achieving production targets; more specifically, tasks assigned to a shop council at the shop/department levels but relevant to the unit as a whole will be taken up by the joint council;

v) the development of skills of workmen and adequate facilities for training;

vi) the preparation of schedules of working hours and of holidays;

vii) awarding of rewards for valuable and creative suggestions received from workers;

viii) optimum use of raw materials and quality of finished products; and

ix) general health, welfare and safety measures for the unit or the plant.

*Composition*

8. There is considerable diversity in the situation prevailing from unit to unit in different Industries. Keeping this diversity in view, no uniform pattern is being laid down for the constitution of shop councils and Joint Councils, particularly relating to the representations of workers. The management in consultation with workers should evolve the most suitable pattern of representation so as to ensure that the representation of the workers results in effective meaningful and broad-based participation of workers.

*Communication:*

9. For any scheme of workers' participation to succeed, there must be an effective two-way communication and

exchange of information between the management and the workmen. It is only then the workers would have a better appreciation of the problems and difficulties of the undertaking and of its overall functioning. With this end in view, each unit should devise a suitable system of communication within the undertaking.

*Works Committee:*

10. The Works Committees as prescribed under the Industrial Disputes Act shall continue to function as at present.

*Conclusion:*

11. Government are aware that it is only by providing for such arrangements for workers' participation particularly at the shop floor and unit level that the involvement of workers in the effective functioning of the unit and in improving production and productivity can be ensured. Government would, therefore, appeal to all the managements and workmen and trade unions concerned to take speedy and effective measures for the early adoption of the scheme in their units and for its continued healthy functioning.

Dr. J. C. ALMEIDA  
Secretary

Public Health Department

Order

No. PHD/1/(4)/76/APPTS/794

On the recommendations of the Union Public Service Commission, Dr. Tridib Borua is hereby appointed to the post of Resident Medical Officer, TB and Chest Diseases, Hospital, Goa Medical College with effect from 1-4-1976 (A.N.) on the terms and conditions contained in Government Memorandum of even number dated 20-2-1976.

Dr. Borua has been medically examined and found fit by the Medical Board, Panaji.

By order and in the name of the Administrator of Goa,  
Daman and Diu.

P. Noronha, Under Secretary (Health).

Panaji, 27th April, 1976.

Finance Department (Control)

Notification

No. 4-1/Pens/71/Fin (Control)

Government is pleased to appoint a Committee for examining the cases of thirty three (33) civil and military personnel working in the former Portuguese Army as on the date of liberation of Goa, Daman and Diu, and whose cases were rejected by the Committee appointed in 1972. The Committee shall consist of the following officers:—

1. Dr. J. C. Almeida, Secy. (Ind. and Labour) — Chairman.
2. Dr. Gurudas Sardesai, Director of Health Services — Member.
3. Shri N. P. S. Nagorcencar, Chief Accounts Officer, Housing Board — Member Secretary.

2. The Committee will scrutinize the applications of the concerned persons and submit a report to the Government in the Finance Department, as early as possible, indicating full facts of the cases and the amount of pension to be found admissible.

3. In case the records do not exist, the Committee shall reconstitute the service records in each individual case availing itself of the certificates, official publications and other authentic documents, and in the absence of these, it shall seek other proofs permitted by law.

4. All the documents and proofs produced shall accompany the report referred to in paragraph 2 above. The particulars of the cases scrutinized by the Committee shall also be indicated in the proforma attached to this notification.

5. The acts, deeds, diligencies, documents and processes connected with the execution of what is determined under this order are exempted from any costs, stamps and emoluments of any kind.

By order and in the name of the Administrator of Goa,  
Daman and Diu.

S. S. Sukthankar, Under Secretary (Finance).

Panaji, 30th April, 1976.